

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

LARRY E. EALY,	:	
	:	
Petitioner(s),	:	
	:	Case Number: 3:09cv155
vs.	:	
	:	Chief Judge Susan J. Dlott
JUDGE JAMES D. RUPPERT, et. al.,	:	
	:	
Respondent(s).	:	

ORDER

The Court has reviewed the Report and Recommendation of United States Magistrate Judge Sharon Ovington filed on May 6, 2009 (Doc. 6), to whom this case was referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) expired May 27, 2009, hereby ADOPTS said Report and Recommendation.

Accordingly, petitioner's petition (Doc. 1) is **DISMISSED and** petitioner's motions for removal (Docs. 2, 3 & 4) are **DENIED**.

Pursuant to Fed. R. Civ. P. 11(c) (3) petitioner is **ORDERED** to show cause why sanctions in the amount of \$500.00 should not be imposed against him under Fed. R. Civ. P. 11(b).

The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that an appeal of this Order adopting the Report and Recommendation will not be taken in good faith, and consequently, leave for petitioner to appeal *in forma pauperis* will be **DENIED**.

The Clerk of Court is **DIRECTED** to mail a copy of this Order to Mark E. Owens, Clerk of the Dayton Municipal Court.

The case is hereby **TERMINATED** on the docket of this Court.

IT IS SO ORDERED.

s/Susan J. Dlott

Chief Judge Susan J. Dlott
United States District Court

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